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February 5, 2002

RECEIVED

FEB - 6 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Presentation
CC Docket 96-115 /
Telecommunications Carriers' Use of
Customer Proprietary Network
Information and Other Customer Information

Dear Mr. Caton:

This letter will summarize an *ex parte* presentation made on behalf of ATX Technologies, Inc. today to members of the Commission's staff. At the meeting were William Dever of the Common Carrier Bureau and Barbara Reideler of the Wireless Telecommunications Bureau. Representing ATX were Gary Wallace, Vice President for External Affairs and I.

At the meeting, we explained ATX's technology and services and how ATX's relationship with automobile manufacturers seeks to enhance passenger safety features. We discussed the privacy policy and subscriber agreements ATX and the automobile manufacturers have implemented to protect subscriber privacy.

During the meeting we conveyed ATX's position that section 222 of the Communications Act did not encompass entities that are not telecommunications carriers and that the Wireless Communications and Public Safety Act of 1999 did nothing to alter this premise. We also discussed the authority of the Federal Trade Commission to address the activities of non-licensees. We spoke in opposition to the petition filed by the

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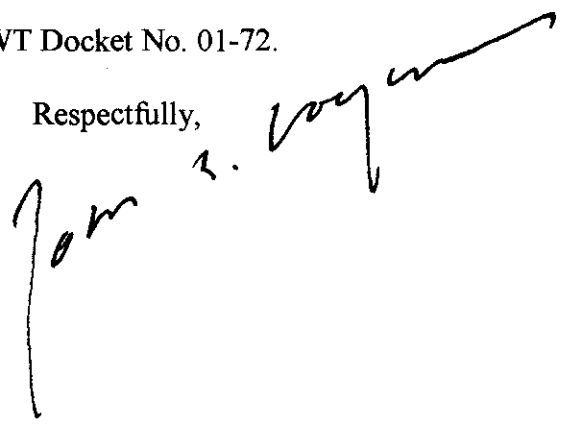
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Cellular Telecommunications and Internet Association requesting the Commission to initiate a rulemaking to expand the reach of section 222.

A copy of this letter will be submitted in WT Docket No. 01-72.

Respectfully,

A handwritten signature in black ink, appearing to read "Tom R. Vogt", is written over the word "Respectfully,". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Copy to:

Mr. William Dever, Common Carrier Bureau
Ms. Barbara Reideler, Wireless Telecommunications Bureau
Ms. Marcy Greene, Common Carrier Bureau

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...sistence of ...
 ...a small canal. Trapped in ...
 ...she was able to call 9-1-1 operators ...
 ...cell phone and speak to them for three ...
 ...minutes. But emergency responders were ...
 ...unable to locate her before she drowned.
 ...Gutierrez, and many others who die ...
 ...tragically each year, might still be alive if ...
 ...their cars had been equipped with telematics.
 ...Vehicle-embedded telematics services ...
 ...provided by companies such as Dallas/
 ...Fort Worth-based ATX Technologies ...
 ... (which offers telematics services through ...
 ...Mercedes-Benz Tele Aid, Jaguar Assist, ...
 ...Lincoln RESCU and other programs) bring ...
 ...significant vehicle safety benefits to ...
 ...motorists. One of the key benefits is the ...
 ...ability to tell emergency responders the ...
 ...exact location of a vehicle involved in an ...
 ...accident, even if the driver has no cell phone ...
 ...or is incapacitated by the event.
 ...America needs telematics more than ever.
 ...Automobile crashes remain the leading killer ...
 ...of Americans aged five to 29, claiming about ...
 ...42,000 lives a year. Many lives could be saved ...
 ...on America's roads each year by using ...
 ...telematics. Telematics systems can provide

ACN/MAY DAY FUNCTIONS - ATX TECHNOLOGIES, INC.

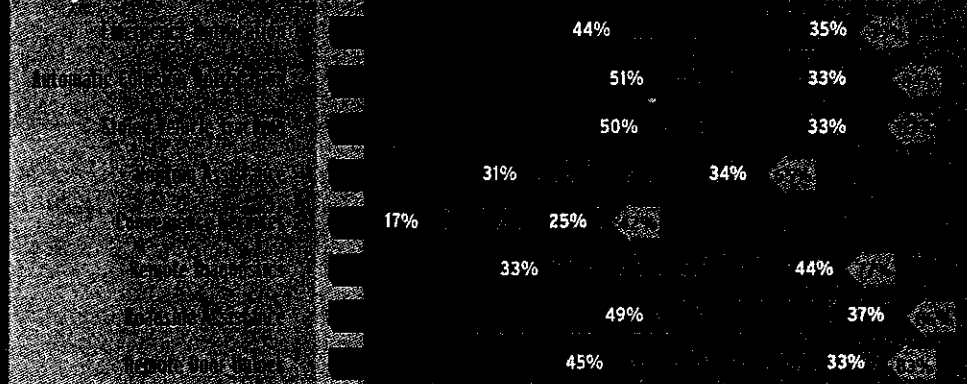
Telematics-based automatic collision notification (ACN) automatically alerts the ATX Response Center anytime an airbag deploys or an emergency tensioning restraint in the seat belt harness activates in a telematics-equipped vehicle. The Response Center is also alerted if a motorist pushes the system SOS or emergency button. Upon alert, a cellular voice connection is established between the vehicle and an emergency-trained ATX Response Specialist. The Specialist also receives data such as the location of the vehicle (through GPS satellite technology) and information about the driver and vehicle. ATX then uses its proprietary PSAP database to contact the correct emergency response agency serving the vehicle's location.

ATX Response Specialists maintain contact with the motorist until help arrives and, if necessary, can add a 9-1-1 medical specialist to the call line. Telematics systems can also automatically notify the injured driver's key contacts, such as family members, tapping emergency information in databases that the driver/subscriber has created and maintained as part of the telematics program. ATX responds to about 100 airbag activations and nearly 200 MayDay alerts per month.

TELEMATICS AND OTHER VALUABLE SERVICES

Telematics can help emergency responders about an accident and provides them with vehicle location, vehicle type, and vehicle description. Tomorrow's telematics may also help by providing responders additional, critical, real-time information. In the future, telematics will tell responders if a vehicle is involved in an accident, number of occupants in the car, if the vehicle is on fire, and if the vehicle is in a dangerous location. Telematics will also know what resources to send to the vehicle. Telematics systems can also provide emergency assistance, stolen vehicle tracking, and weather alerts.

IMPORTANCE of Telematics Services Prospective Subscribers



LOCATION-BASED ROADSIDE ASSISTANCE

Whether a motorist is staring at an empty fuel gauge, a flat tire or a dead battery, the rescue by contacting a nearby towing service, the driver's roadside assistance and providing them with the driver's exact location. During these incidents, Responders periodically contact the driver, making certain the driver is safe and reporting on responding tow truck.

STOLEN VEHICLE TRACKING

Car thieves are foolish to steal telematics-equipped vehicles. In some models, a security system sends a signal to an ATX Response Specialist, who immediately notifies the owner. After notifying police and reporting the car stolen, ATX can also locate the car and police to its location.

REMOTE DOOR UNLOCK

With telematics, the frustration of locking keys in the car is a thing of the past. It can be life saving if an infant or pet is locked in the vehicle. Telematics enables the driver to remotely unlock the doors.

ROUTE GUIDANCE ASSISTANCE

Becoming lost in an unfamiliar environment is a major inconvenience for motorists. It can also be a harrowing experience for a motorist driving alone, perhaps at night. Telematics can provide a critically needed service, such as fuel. ATX Response Specialists can save drivers by providing quick and accurate directions to service stations, pharmacies, hospitals, and other important service—eliminating the need for distracting in-vehicle navigation systems.

REAL-TIME TRAFFIC & WEATHER ALERTS

Driver frustration mounts and safety can be jeopardized when motorists encounter road construction, detours, adverse road conditions or deteriorating weather. Telematics can stress and enhance safety by alerting drivers of such hazards before they reach the vehicle's location in real-time!

REMOTE DIAGNOSTICS

Telematics-based remote diagnostics advises drivers on the severity of vehicle malfunctions and helps them find the nearest service bay. In the near future, telematics will be able to detect when a car needs maintenance and provide real-time maintenance, such as oil changes.

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